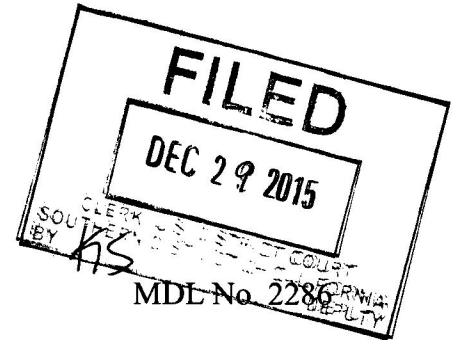


UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: MIDLAND CREDIT MANAGEMENT, INC.,
 TELEPHONE CONSUMER PROTECTION
 ACT (TCPA) LITIGATION**

Rumbough v. Capital One Bank (USA), N.A., et al.,)
 M.D. Florida, C.A. No. 6:15-01878)



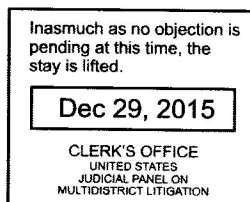
**CONDITIONAL TRANSFER ORDER (CTO-106)
 AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS**

On October 11, 2011, the Panel transferred two civil actions to the United States District Court for the Southern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 818 F.Supp.2d 1377 (J.P.M.L. 2011). Since that time, 234 additional actions have been transferred to the Southern District of California. With the consent of that court, all such actions have been assigned to the Honorable Michael M. Anello.

The complaint in the action on this conditional transfer order appears to assert a number of claims. In Count IV of the complaint, plaintiff asserts a claim under the Telephone Consumer Protection Act (TCPA) against, *inter alia*, Midland Credit Management, Inc. This claim involves questions of fact that are common to the previously transferred MDL No. 2286 actions. The other claims in the complaint (Counts I-III and Count V) appear to involve (a) non-TCPA claims involving factual and legal issues that are not being litigated in MDL No. 2286 and (b) a number of unique defendants that are not otherwise named in the actions pending in MDL No. 2286.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action is transferred under 28 U.S.C. § 1407 to the Southern District of California for the reasons stated in the order of October 11, 2011, and, with the consent of that court, assigned to the Honorable Michael M. Anello. All claims in Counts I-III and in Count V are hereby separated and simultaneously remanded to the Middle District of Florida.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of California. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

I hereby attest and certify on [Signature]
 That the foregoing document is a true and correct
 copy of the original on file in my office and in my legal
 custody. 12/29/15
 Clerk of the Panel
 CLERK, U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

By [Signature] Deputy